

**REMARKS**

This Reply is responsive to Office Action of July 2, 2010, for which a response is due on November 2, 2010 with the enclosed one-month extension of time. In the Office Action, claims 14 – 28 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 4,784,482 (“Guilino”) in view of U.S. Patent No. 4,279,480 (“Bettioli”). Claims 14, 23 and 25 have been amended. No new matter has been added. Claims 15, 18, 19, 24, 26 and 27 have been canceled. Claims 14, 16, 17, 20 – 23, 25 and 28 remain pending. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

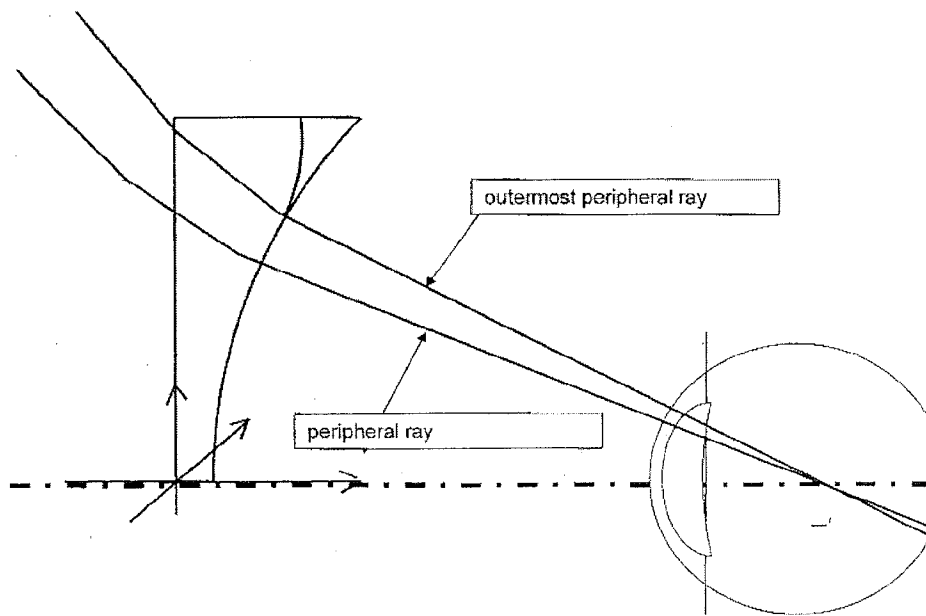
Claim 14 has been amended to incorporate the limitations previously set forth in dependent claims 15, 18 and 19. Similarly, claim 23 has been amended to incorporate the limitations previously set forth in dependent claims 24, 26 and 27. For at least the following reasons, Applicants submit that Guilino, either alone or in combination with Bettioli, fails to teach or suggest each of the limitations recited in independent claims 14 and 23.

In the Office Action, the Examiner argues that a dividing curve of Guilino inherently satisfies the limitations of previously-pending dependent claims 15 and 24 based on the Examiner’s interpretation of Guilino as allegedly disclosing the separation of the viewing region from the carrier rim region on the rear face of the spectacle lens by a dividing curve that connects penetrating points of the outermost peripheral rays to the rear face, where the outermost peripheral rays being the rays just barely passing under direct vision through a point of rotation of the eye when the spectacle lens is in a use position in front of the eye.

As noted in the previous response dated June 16, 2010, Guilino only discloses a spectacle lens, in which the front surface comprises a focus section 1, a transition zone 2 surrounding the focus section like a ring and an afocal margin of the

constant thickness connected to the transition zone. The transition zone and a margin are ring-formed. Accordingly, they are separated from each other by a simple circular dividing curve. There is no disclosure, neither explicit nor implicit, which would suggest that the ring-formed dividing curve is a curve which connects the penetrating point of the "outermost peripheral rays" to the rear face, as expressly recited in the pending claims. Moreover, this deficiency is not remedied by Bettiol.

In this respect, Applicants submit that the recited "outermost peripheral rays" cannot reasonably be equated with peripheral rays which simply pass through the peripheral portion of the spectacle lens. As specified in amended claim 14, for example, the outermost peripheral rays are the rays which just barely pass under direct vision through a point of rotation of the eye when the spectacle lens is in a use position in front of the eye. The recited "outermost peripheral rays" are thus the critical rays, defining the field of vision under direct vision, as disclosed for example in paragraphs [0008] and [0009] of the present specification. All other rays within the field of vision, passing through the peripheral portion of the spectacle lens are, by definition, not "outermost peripheral rays" as recited in the independent claims. To more particularly illustrate the difference between the outermost peripheral rays and the peripheral rays passing through the peripheral portion of the spectacle lens, the following drawing is provided:



The line in Guilino dividing the central focus section and the margin or rim section might be regarded as being a line which connects the penetrating points of peripheral rays with the front of the rear surface of the lens. However, this line differs from the complex line, connecting the outermost peripheral rays as recited in the independent claims 14 and 23, as amended.

Applicants further submit that neither Guilino nor Bettiol disclose or suggest to construct the carrier rim region based on at least one of a frame shape and frame design and individual parameters of the spectacle wearer, as also recited in each of the amended independent claims 14 and 23. Individual parameters of the spectacle wearer may be, for example, the distance between the cornea and the vertex, the front inclination, the pupil distance, etc. See Specification, ¶ [0017]. Constructing the carrier rim region such that it is divided by a line connecting the penetrating points of the outermost peripheral rays with the rear surface of the spectacle lens, while taking into account the frame form and/or the frame design and the individual parameters of the spectacle wearer when calculating the carrier rim region, enables the reduction of the edge thickness or its variation so as to improve

the cosmetic properties of the lens, without negatively influencing the optical properties of the spectacle lens. See Specification ¶¶ [0016] and [0017].

Applicants submit that such features are neither disclosed nor suggested by Guilino or Bettiol. In fact, Guilino actually teaches away from such a structure since the disclosed afocal margin 3 is simply a ring-shaped zone of constant thickness, which neither takes into account the frame form, frame design nor any individual parameters of the user. Independent on what kind of frame form or frame design the lens is intended to be fitted, and further independent of the individual parameters of a specific user, the construction of the ring-formed afocal zone of constant thickness does not change in Guilino. Moreover, this deficiency is not remedied by Bettiol.

Therefore, Applicants submit that Guilino, alone or in combination with Bettiol, fails to teach or suggest any of (i) the recited dividing curve that connects penetrating points of outermost peripheral rays, (ii) a rear face in the carrier rim region constructed to consider at least one of a frame shape and a frame design, or (iii) a rear face in the carrier rim region constructed to consider individual parameters of the spectacle wearer, as recited in each of the independent claims, as amended. Applicants further submit that the dependent claims are allowable at least by virtue of depending on allowable base claims.

The Applicant respectfully submits that the application is now in condition for allowance. The Examiner is invited to contact the undersigned should he have any questions. If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 100341.58126US).

Serial No. 10/591,640  
Submission Dated: November 2, 2010  
Attorney Docket No. 100341.58126US

Respectfully submitted,  
CROWELL & MORING LLP

Dated: November 2, 2010



---

Jonathan M. Lindsay

Reg. No. 45,810

Tel.: (949) 263-8400 (Pacific Coast)

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JML/jmh  
DC13697271